



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
KANAB RESOURCE AREA OFFICE
318 NORTH FIRST EAST
KANAB, UTAH 84741
(801) 644-2672

3809
UT-048
UTU-71094
UDOGM No. S/025/014

October 27, 1993

PERSONAL SERVICE

Mike Caruso
P. O. Box 175
Orderville, UT 84758

Dear Mike:

On October 6, 1993, a Federal Register Notice was issued to withdraw the proposed rule to list Lepidium montanum var. stellae (Kodachrome Pepper-grass) as an Endangered Species. Because this plant no longer qualifies for protection under the Endangered Species Act, the restriction against mining or surface disturbance on the west side of the road through your Sunrise claims no longer applies. Attached is a revised copy of the Mitigating Measures to Prevent Undo and Unnecessary Degradation for acceptance of your Notice of Intent No. UTU-71094 (Utah Division of Oil, Gas, and Mining File No. S/025/014) which reflects the change in status of this plant.

If you have any questions, please contact Rod Schipper at our office.

Sincerely,

Michael Noel
Acting Area Manager

Enclosure

cc: Holland Shepard, Utah Division of Oil, Gas, and Mining

MITIGATING MEASURES TO PREVENT UNDO AND UNNECESSARY DEGRADATION

Caruso Sunrise #1 and Sunrise #2 Mining Claims

T41S, R8W, Sec. 24, NW $\frac{1}{4}$ SW $\frac{1}{4}$

10/27/93

1. Topsoil will be stripped and stockpiled for use in reclamation. Reject material from mining will also be stockpiled for use in reclamation.
2. There shall be no interference with natural drainage through the area and excavated material may not be placed where it might be washed downstream.
3. Adequate warning signs should be posted at all approaches to the mine site during mining operations.
4. If any prehistoric or historic cultural remains are discovered, the Kanab BLM authorized officer will be notified immediately and all mining operations shall be halted pending investigation and mitigation.
5. If any vertebrate fossils or other fossils of significant scientific interest are discovered, the Kanab BLM authorized officer will be notified immediately and all mining operations shall be halted pending investigation and mitigation.
6. The operator shall promptly remove and properly dispose of all waste caused by mining activities. The term "waste" as used herein means all discarded matter including, but not limited to, trash, garbage, refuse, petroleum products, ashes and equipment.
7. All land survey markers must be protected against destruction or damage. The operator must re-establish any damaged or destroyed markers in accordance with accepted survey practices.
8. Except at the quarry face, the sides of the excavation area should not exceed a 2:1 slope.
9. The Kanab BLM authorized officer shall be contacted three days prior to commencing reclamation work.
10. Reclamation will include reshaping the site to approximate original contours, and the site shall be terraced to control erosion and prevent landslides.
11. A suitable vegetation harmonious with the area shall be established. The disturbed areas will be seeded with a seed mixture approved by the Kanab BLM authorized officer.